

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

DANIEL BECKERMAN,

Defendant

Case No. 1:20-MJ- 355 (DJS)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of March 29, 2019, in the county of Saratoga in the Northern District of New York the defendant violated:

*Code Section*

Title 21, United States Code, Sections  
841(a)(1) and 841(b)(1)(A)

*Offense Description*

Knowingly and intentionally distributing and possessing with intent  
to distribute 50 grams or more of methamphetamine

This criminal complaint is based on these facts:  
See attached affidavit.

☒ Continued on the attached sheet.

*Complainant's signature*

Sean T. Fogarty, FBI Special Agents

*Printed name and title*

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

July 8, 2020

*Judge's signature*

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

Special Agent Sean T. Fogarty, of the Federal Bureau of Investigation (FBI), being duly sworn, deposes and states:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint charging DANIEL BECKERMAN with violating Title 21 U.S.C. sections 841(a)(1) and 841(b)(1)(A) by distributing and possessing with intent to distribute over 50 grams of methamphetamine, a Schedule II controlled substance.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed since May 13, 2018. I am assigned to the Albany Office within the FBI's Albany Division. My current duty assignment is with the Capital District Safe Streets Gang Task Force in Albany, New York. In that assignment, I work with federal, state, and local law enforcement agents on a number of criminal investigations into gang activities, primarily those involving violent crime and narcotics trafficking.

3. I attended the FBI Academy in Quantico, Virginia from May to September of 2018, where I completed FBI Special Agent training, which included training in applying for and executing search warrants, conducting criminal investigations, and the obtaining and handling of evidence, among other things.

4. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Titles 18 and 21 of the United States Code. As a federal agent, I am authorized to investigate violations of the laws of the United States and to execute search warrants issued under the authority of the United States.

5. I am currently involved in an investigation of the trafficking of the controlled substance methamphetamine by DANIEL BECKEMAN (hereinafter, BECKERMAN). As a result of my personal participation in this investigation, my conversations with other investigative agents for this case, and information obtained from a confidential source, I am familiar with the information contained in this affidavit. This affidavit is intended to show merely that there is probable cause for a complaint, and consequently it does not set forth all of my knowledge about the matters under investigation

### **INVESTIGATION AND BASIS FOR PROBABLE CAUSE**

#### **Background**

8. In March 2019, the FBI began investigating methamphetamine trafficking in and around the Capital Region of New York. A Confidential Human Source (CHS) met with members of the FBI, and provided information indicating that DANIEL BECKERMAN was trafficking controlled substances in in Saratoga County, New York.<sup>1</sup> In March 2019, the CHS communicated with BECKERMAN to negotiate and conduct a controlled purchase of methamphetamine.

#### **Controlled Purchase of 78 grams of Methamphetamine from BECKERMAN**

9. On March 27, 2019, law enforcement conducted a controlled payment to BECKERMAN for the intended purchase of approximately four ounces of methamphetamine. Prior to the controlled payment, the CHS met with FBI personnel at a pre-determined staging location. FBI personnel searched the CHS and the CHS's vehicle, both with negative results. FBI

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<sup>1</sup> The CHS does not have a history of criminal convictions. During an unrelated FBI investigation, a controlled purchase of drugs was made from CHS, specifically methamphetamine. Following the controlled purchase, an additional amount of methamphetamine was seized pursuant to a search warrant at the CHS's home. The CS is currently cooperating with law enforcement with the hope of ultimately obtaining credit at a future sentencing a Northern District of New York prosecution premised on the controlled purchase and drug seizure for providing substantial assistance.

personnel then equipped and activated a recorder/transmitter on the CHS, and provided the CHS with \$1,500. The CHS was surveilled to the agreed upon meeting place at a gas station in Ballston Spa, New York, and was kept under physical surveillance for the duration of the controlled payment. Surveillance observed BECKERMAN arrive in a Dodge pickup truck, and enter the CHS's vehicle. The CHS supplied BECKERMAN with \$1,500, and surveillance observed BECKERMAN exit the CHS's vehicle and enter the Dodge pickup. Surveillance observed the CHS depart the meet location and travel to the staging location. FBI personnel deactivated and took custody of the recording/transmitter equipment, searched the CHS and his/her vehicle with negative results.

10. On March 27, 2019, the CHS communicated with BECKERMAN about the purchase of methamphetamine. The following is an excerpt from the text message communication:

BECKERMAN: That gets you s quarter pounder with cheese. Shooting for Friday.  
Couldn't come sooner ugg

CHS: Hey there. Lemme know when on Friday so I can plan my day. If  
you know. Do you think it'll be early again?

BECKERMAN: I won't know until he sends it. I asked for a quick turnaround and I  
loaned him 140 fuck we gave him too much. Ugg

11. Based on my knowledge of the investigation, and the CHS's debriefing, your affiant believes that when BECKERMAN says a "quarter pounder with cheese," BECKERMAN indicated that the CHS will get four ounces of methamphetamine for the \$1,500 that was previously supplied to BECKERMAN by the CHS. BECKERMAN indicated that he did not know what time

of day the shipment would arrive until after the supplier sent the shipment of methamphetamine. BECKERMAN further stated that he asked the supplier for a quick turnaround.

12. On March 29, 2019, law enforcement completed the controlled purchase of methamphetamine from BECKERMAN at his residence located at 34 John Street, Ballston Spa, New York. On that date, an operation was conducted to procure the quantity of methamphetamine from BECKERMAN that was previously paid for by the CHS on March 27, 2019. Prior to the operation, the CHS met FBI personnel at a pre-determined staging location. FBI personnel equipped and activated recorder/transmitter on the CHS. The CHS was kept under physical surveillance by FBI personnel for the duration of the operation. Surveillance observed the CHS travel from the staging location and park in the driveway of BECKERMAN's residence. Surveillance observed the CHS enter BECKERMAN's residence. While inside the residence, the CHS received a quantity of methamphetamine from BECKERMAN, and then exited BECKERMAN's residence. Surveillance then observed the CHS depart BECKERMAN's residence and travel to the staging location. Upon CHS arrival at the staging location, FBI personnel recovered approximately 78 grams of a white crystal-like substance that was procured from BECKERMAN by the CHS. The substance was later confirmed in laboratory testing to have a net weight of 78.5 grams and a purity of 99 percent. FBI personnel deactivated the recorder/transmitter from the CHS and searched the CHS and his/her vehicle for additional contraband and money with negative results.

### **Conclusion**

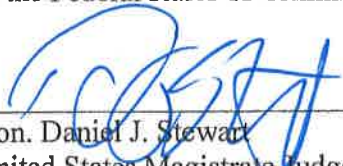
13. Based on the foregoing, I respectfully submit there is probable cause for a criminal complaint charging DANIEL BECKERMAN with a violation of Title 21 U.S.C. sections 841(a)(1) and 841(b)(1)(A) by distributing and possessing with intent to distribute over 50 grams of

methamphetamine, a Schedule II controlled substance.

Attested to by the affiant,

  
Sean J. Fogarty  
FBI Special Agent

I, the Honorable Daniel J. Stewart, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on July 8, 2020, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure:

  
Hon. Daniel J. Stewart  
United States Magistrate Judge